

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TERRY SHAW and JOHN SHAW,

Plaintiffs,

v.

Case No. 05-70211

JPMORGAN CHASE BANK, NA,
a National Banking Association,

HONORABLE AVERN COHN

Defendant.

ORDER TRANSFERRING VENUE

This is a state-law negligence and breach of contract case. Plaintiffs Terry Shaw and John Shaw (collectively referred to as the Shaws) are suing Defendant JPMorgan Chase Bank, N.A. (JPMorgan) for, inter alia, JPMorgan's alleged mishandling of two bank accounts.¹

On June 29, 2005, the Court granted, inter alia, JPMorgan's motion to transfer venue.² Because the issue of subject-matter jurisdiction in this case was one of first impression, the Court noted that the issue is a controlling question of law about which there is substantial ground for difference of opinion. Accordingly, the Court certified the question of subject-matter jurisdiction as one that plaintiffs could immediately appeal

¹ JPMorgan is the successor by merger to Bank One, N.A. The complaint lists Bank One, N.A. as the defendant, but the notice of removal is in the name of JPMorgan.

² See Memorandum and Order Denying Plaintiffs' Motion to Remand, Granting Defendant's Motion for Leave to Amend Notice of Removal, Granting Defendant's Motion to Transfer Venue, and Staying Order of Transfer Pending Interlocutory Appeal of Subject-Matter Jurisdiction, filed June 29, 2005.

under 28 U.S.C. § 1292(b). The Court also stayed the Order of Transfer for thirty days so plaintiffs could appeal the certified question.

Plaintiffs have not filed an interlocutory appeal. Accordingly, the stay on the Order of Transfer is LIFTED and venue in this case is TRANSFERRED to the Western District of Michigan.

SO ORDERED.

Dated: August 16, 2005

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was sent to counsel of record on this date, August 16, 2005, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5160